

United States Court of Appeals  
For the Eighth Circuit

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No. 20-1665

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Bernard Fraction,

*Plaintiff - Appellant,*

v.

Douglas County Attorney's Office; Theresia M. Urich; Douglas County  
Treasurer's Office; John W. Ewing, Jr., Treasurer; Director of Public Properties;  
Dennis Rookstool; Tim Dolan; Richard G. Kopf,

*Defendants - Appellees.*

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Appeal from United States District Court  
for the District of Nebraska - Omaha

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Submitted: September 28, 2020  
Filed: October 1, 2020  
[Unpublished]

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Before COLLOTON, BENTON, and KOBES, Circuit Judges.

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PER CURIAM.

Bernard Fraction appeals after the district court<sup>1</sup> dismissed his complaint for lack of subject matter jurisdiction. It is the plaintiff's burden to establish the district court's subject matter jurisdiction, and, on appeal, we review its existence de novo. *See Newcombe v. United States*, 933 F.3d 915, 917 (8th Cir. 2019). On careful review of the record and Fraction's arguments on appeal, we conclude that the district court properly determined that it lacked subject matter jurisdiction to consider the complaint.

The judgment of the district court is affirmed. See 8th Cir. R. 47B.

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<sup>1</sup>The Honorable John M. Gerrard, Chief Judge, United States District Court for the District of Nebraska.